UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,430	09/30/2003	Ali-Reza Adl-Tabatabai	42P17035	7017

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EXAMINER
LEE, CHUN KUAN

ART UNIT	PAPER NUMBER
2181	

MAIL DATE	DELIVERY MODE
06/27/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>22 May 2008</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

      Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

      NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: _____.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>Please See Continuation Sheet Below.</u>

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Alford W. Kindred/
Supervisory Patent Examiner, Art Unit 2181

    In response to applicant's arguments (on pages 9-10) regarding the independent claim 1 rejected under 35 U.S.C. 103(a) that the combination of references do not teach/suggest that the compressed symbols and dictionary elements having a fixed length and a fixed offset within a compressed data block, as these features are not taught by Dye; applicant's arguments have fully been considered, but are not found to be persuasive.

    In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

    Tremaine teaches fixed length data compress into compressed symbols (Fig. 2, ref. 204) and translation information (Fig. 2, ref. 207) having a length and offset within a compressed data block (col. 5, ll. 1-11; col. 5, l. 35 to col. 6, l. 41 and col. 8, ll. 21-31), wherein the translation information is utilized for the compression/decompression of data.

    Dye teaches dictionary elements utilized for compression/decompression of data (e.g. dictionary based compression/decompression) (col. 24, ll. 2-54); and compressing data via dictionary based fixed compression ratio to be stored in a known fixed size (col. 7, ll. 20-30 and col. 33, ll. 56-62), therefore the fixed length data is compressed into a fixed sized compressed data block having a fix length and fix offset.

    The resulting combined teaching of the references teach the fixed length data compressed via dictionary based fixed compression ration into the compressed symbols and dictionary elements having the fixed length and fixed offset within the compressed data block.

    As the applicant is also applying the above arguments for independent claim 1 towards independent claims 7, 23 and 26, the examiner is also applying the above response towards the independent claims 7, 23 and 26 respectively.

    In response to applicant's arguments (on pages 10-12) regarding the independent claim 1 rejected under 35 U.S.C. 103(a) that the combination of references do not teach/suggest that the dictionary elements is automatically derived from a number of leading bits in a string of data; applicant's arguments have fully been considered, but are not found to be persuasive.

    The examiner respectfully disagrees, because Dye does teach/suggest the implementation of dictionary based compression, wherein such implementation is well known to be implemented based on a history table, and the history table maintains preceding transferred data stream (Dye, col. 24, ll. 2-65), therefore suggesting that the dictionary elements is automatically derived from the number of leading bits in a string of data, as the data is transferred and maintained in the history table to be utilized as dictionary elements.

    As the applicant is also applying the above arguments for independent claim 1 towards independent claims 7, 23 and 26, the examiner is also applying the above response towards the independent claims 7, 23 and 26 respectively.

    In response to applicant's arguments (on pages 14-15) regarding independent claim 15 rejected under 35 U.S.C. 103(a) that the combination of references do not teach/suggest a fixed offset compressed data block; applicant's arguments have fully been considered, but are not found to be persuasive.

    The examiner respectfully disagrees, because Dye does teach/suggest receiving a fixed offset compressed data block (col. 7, ll. 20-30 and col. 33, ll. 56-62), as the dictionary based fixed compression ration enable the transferring and receiving of compressed data block having fixed offset. To further clarify the well known dictionary based fixed compression ration, as each entry for compression/decompression via the dictionary based fixed compression ration would have the corresponding fixed size, the offset of the received compressed data block would be fixed (Fig. 6B).

    As the applicant is also applying the above arguments for independent claim 15 towards independent claim 19, the examiner is also applying the above response towards the independent claim 19 respectively.

    As per claims 2-3, 5-6, 8-9, 11-14, 18, 21-22, 24-25 and 27, dependent claims 2-3, 5-6, 8-9, 11-14, 18, 21-22, 24-25 and 27 are also rejected at least due to direct/indirect dependency on the rejected independent claims 1, 7, 15, 19, 23 and 26.

In responding to all applicant's arguments, the examiner will maintain his position and the current rejection of record.